upa

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.983 OF 2005
IN
SUIT NO.942 OF 2005

Mrs.Purvi Brigesh Parekh).. Plaintiff

Versus

Dinesh D. Taparia).. Defendant

Mr.P.V.Nichani for the Plaintiff.

None present for the Defendant.

CORAM : SMT. NISHITA MHATRE, J.

DATED : 23RD JUNE 2006

P.C.:

. The Plaintiff has filed the present Suit for specific performance of the Sale Deed dated 23rd August 2004 at Exhibit "B" to the Plaint. The Plaintiff states that she has paid the entire consideration to the Defendant. However, the Defendant is not executing the Sale Deed by registering the same. The Plaintiff states that because of the default on the part of the Defendant, the Defendant is in possession of the suit premises. The Plaintiff, therefore, prays that Receiver be appointed with all powers under Order 40, Rule 1 of the Civil Procedure Code.

2. Notice of Motion made absolute in terms of

prayer clause (a) which was already granted and (b).

3. The Receiver to take physical possession of the suit premises and appoint an agent on usual terms and conditions.

4. Notice of Motion disposed of accordingly.